

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Liya Wang et al.

Application No.: 10/766,385

Confirmation No.: 3351

Filed: January 28, 2004

Art Unit: 1745

For: COMPOSITE MATERIAL AND
ELECTRODES MADE THEREFROM

Examiner: G. Cantelmo

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed December 4, 2006, the deadline for response thereto being January 4, 2007, Applicant submits the following reply.

In the Office Action mailed December 4, 2006, the Examiner imposed a two-part restriction requirement.

In the first part of the restriction requirement, Applicant is required to elect between the following groups of claims for prosecution on the merits:

- I. Claims 1-19;
- II. Claims 20-28;
- III. Claims 29-32.

Applicant hereby elects claims 1-19 for prosecution on the merits. This election is made without traverse, and Applicant reserves the right to file one or more continuation applications directed to the nonelected subject matter.

In part two of the restriction requirement, as set forth in section 7, the Examiner has imposed a genus/species restriction requirement with regard to claims 1, 20 and 29. Specifically, the Examiner has directed Applicant to elect a particular combination of: first component, second component, and dopant or absence of a dopant to comprise a species for further prosecution.

In response to the genus/species restriction requirement, Applicant hereby elects a species comprised of a first component which is a lithiated metal phosphate and a second component which is an oxynitride of a metal. Applicant further elects the species in which a dopant is included. This election is made without traverse. Claims 1-19 all read on the elected species.

Any questions or comments regarding this response should be directed to the undersigned attorney.

Dated: January 4, 2007

Respectfully submitted,

By _____

Ronald W. Citkowski

Registration No.: 31,005
GIFFORD, KRASS, GROH, SPRINKLE,
ANDERSON & CITKOWSKI, P.C.
2701 Troy Center Drive, Suite 330
Post Office Box 7021
Troy, Michigan 48007-7021
(248) 647-6000
(248) 647-5210 (Fax)

Attorney for Applicant